

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, paragraph 0047 has been amended

Claims 1, 26-28, 30-32 and 40 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-28 and 30-40 are now pending in this application.

Before addressing the substance of the October 4, 2005 Official Action, Applicant would first like to thank the Examiner, Vijay Chawan, for the helpful telephonic interview that was held on January 3, 2006. The participants for this interview were Ms. Chawan and Marshall J. Brown, attorney for Applicant. During this interview, Mr. Brown and Ms. Chawan discussed potential amendments to the claims, and a preliminary agreement was reached as detailed below.

In the October 4, 2005 Official Action, the Examiner objected to the specification due to an improper amendment that was submitted on August 2, 2005. In response to this objection, Applicant has resubmitted this amendment in the correct form.

The Examiner rejected claims 1-4, 8, 10, 12, 20, 25-27, 30-32, 35 and 40 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,875,428, issued to Kurzweil et al. The Examiner also rejected claims 5-7, 9, 11, 13, 16-29, 21-24, 28, 22-34 and 36-39 under 35 U.S.C. § 103(a) based upon the Kurzweil et al. reference.

During the January 3, 2006 telephonic interview, Mr. Brown and Ms. Chawan discussed the Kurzweil et al. reference in detail. In particular, Mr. Brown identified a number

of differences between the present invention and the system described in the Kurzweil et al. reference and proposed amending independent claim 1 to clarify such differences. In particular, Mr. Brown proposed amending claim 1 to describe initiation of the highlighting of a text portion is delayed by the control means until after the beginning of the audio output that corresponds to the text portion.<sup>1</sup> As has been discussed in prior communications, the Kurzweil et al. reference neither teaches nor suggests a system of delaying the initiation of the highlighting of a text portion until after the audio output has already begun. In fact, the Kurzweil et al. reference clearly teaches away from such a process. For example, column 6, lines 45-49 discusses how, if no exit condition has occurred, a highlight is applied to an image “which is to be synthesized by the speech synthesizer.” (emphasis added). Other portions of the Kurzweil et al. reference, at most, discuss only the speech synthesis and text highlight occurring substantially simultaneously. The Kurzweil et al. reference does not discuss the concept of delaying the highlighting, nor does it does any motivation for enacting such a delay.

The present application, on the other hand, discusses in detail the importance of incorporating such a delay. For example, it is discussed at paragraph 0007 how the delay “allows time for a user to register that a synthesized word was not understood and to look at the display.” Paragraphs 0018, 0022, and 0040 also discuss the concept of delaying the highlighting of text until after the beginning of the audio output. Because this feature, and the motivation for implementing such a feature, is neither taught nor suggested by the Kurzweil et al. reference, Applicant submits that claim 1 and its respective dependent claims are patentable over the cited prior art.

During the January 3, 2006 telephone interview, Mr. Brown and Ms. Chawan discussed these issues in detail. At the conclusion of the interview, Ms. Chawan agreed with Mr. Brown that such an amendment would likely render claim 1 allowable over the Kurzweil et al. reference, although Ms. Chawan did indicate that a new search may be necessary. In

---

<sup>1</sup> Although the discussion between Mr. Brown and Ms. Chawan focused on independent claim 1, Mr. Brown indicated during the telephonic interview that, if an agreement were reached, similar amendments would be made to the other independent claims as well.

reliance upon these comments, Applicant has submitted this Amendment and Reply with a Request for Continued Examination.

In addition to the above, Applicant has also amended independent claims 26-28, 30-32 and 40 in a manner substantially similar to how claim 1 was amended. In particular, each of these claims has been amended to describe the highlighting of a text portion is delayed until after the beginning of the audio output that corresponds to the text portion. As discussed above, Applicant submits that this feature is neither taught nor suggested by the Kurzweil et al. reference. Applicant therefore submits that each of these claims and their respective dependent claims are patentable over the prior art.

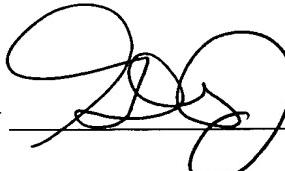
Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

By



G. Peter Albert, Jr.  
Attorney for Applicant  
Registration No. 37,268

Date JANUARY 31, 2006

FOLEY & LARDNER LLP  
Customer Number: 27433  
Telephone: (312) 832-4553  
Facsimile: (312) 832-4700